



**Montana Fish,
Wildlife & Parks**

Decision Notice for Blackfoot Clearwater WMA and E Bar L Ranch Cooperative Habitat Management Agreement EA

Prepared by:
Montana Fish, Wildlife and Parks
Region 2 Wildlife
3201 Spurgin Road
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June 24, 2015

DESCRIPTION OF PROPOSED ACTION ALTERNATIVE

Montana Fish, Wildlife & Parks (FWP) proposes to enter into a 6-year Cooperative Habitat Management Agreement (hereafter, Management Agreement or Lease), with the E Bar L Ranch (O. W. Potter Jr. Exemption Trust or Lessee) in Missoula County.

Under the Proposed Action alternative FWP would renew a cooperative habitat grazing lease for 6 years with the E Bar L Ranch--a long-time cooperator with FWP. The grazing prescription calls for 10 animal-unit-months (AUMs) of grazing (horses) during late fall on a 17.4-acre FWP pasture on the Blackfoot Clearwater Wildlife Management Area (BCWMA) in exchange for year-long deferment of livestock grazing of a private 151.6-acre native range pasture with high wildlife habitat value. The Lessee would be responsible for continuing fence maintenance and weed treatment of the FWP parcel.

The Proposed Action alternative would assure continued maintenance of FWP land and provide significant wildlife habitat benefits for elk, deer, and ground-nesting bird species on 151.6 acres of private, native sagebrush grassland. The proximity of the 151.6-acre native range adds value to the BCWMA, providing important winter range and calving grounds for a herd of approximately 150 elk. Furthermore, care and maintenance and late-season grazing by the Lessee on the 17.4-acre FWP tame pasture enhances early-season forage green-up for elk and deer. FWP believes that renewing this Cooperative Habitat Management Agreement, as proposed, would maintain wildlife habitat in this area and continue important public-private habitat management partnerships.

ALTERNATIVES CONSIDERED TO THE PROPOSED ACTION

No Action: Under the “No Action” alternative, FWP would *not* enter into a 6-year Cooperative Habitat Management Agreement with the E Bar L Ranch. FWP would not allow 17.4 acres of tame grass pasture on an isolated parcel of BCWMA land to be grazed by private livestock, and

151.6 acres of elk winter range on private land near the BCWMA would potentially be grazed at the landowner's discretion and to maximize agricultural production.

Under the No Action alternative, the grazing lease on the 17.4 acres of FWP-owned land would not be renewed, and livestock grazing would be excluded from this tame grass pasture. The result of No Action would also require the Lessee to alter their current grazing management plans accordingly. Also, the 151.6 acres of native pasture on the E Bar L Ranch would no longer be rested from livestock grazing.

Under the Proposed Action and previous agreement, maintenance of the FWP-owned pasture was the responsibility of the Lessee. Maintenance duties included weed treatment and fence care between FWP and E Bar L Ranch properties. These maintenance duties would become the responsibility FWP under the No Action alternative, and the boundary fence between the properties would need to be replaced.

Wildlife habitat benefits would potentially be compromised on the 151.6-acre private native range under the No Action alternative. If livestock grazing returned to the 151.6-acre parcel, forage that has been available (under the cooperative habitat lease) to wintering elk would likely instead be consumed by livestock and the presence of livestock may also displace elk calving in the area.

MONTANA ENVIRONMENTAL POLICY ACT PROCESS

FWP is required to assess impacts to the human and physical environment under the Montana Environmental Policy Act (MEPA). The Blackfoot Clearwater WMA and E Bar L Ranch Cooperative Habitat Management Agreement proposal and its effects were documented by FWP in a Draft Environmental Assessment (EA).

PUBLIC REVIEW PROCESS

FWP is required by MEPA to assess potential impacts of its proposed actions to the human and physical environments, evaluate those impacts through an interdisciplinary approach, including public input, and make a decision based on this information. FWP released a draft environmental assessment (EA) for public review of the Blackfoot Clearwater WMA and E Bar L Ranch Cooperative Habitat Management Agreement proposal on March 27, 2015 and accepted public comment until April 28, 2015. This comment period was more than 21 days.

Legal notice of the proposal and availability of the Draft EA was published once each in the *Independent Record* (Helena, March 30), *Missoulian* (March 30), and *Seeley Swan Pathfinder* (April 2) newspapers.

FWP mailed 25 copies of the EA to adjacent landowners, interested individuals, groups and agencies. The EA was available for public review and comment on FWP's web site (<http://fwp.mt.gov/>, "Recent Public Notices" and "Submit Public Comments") from March 27 through April 28, 2015.

SUMMARY OF PUBLIC COMMENT

FWP received one public comment, which supported this proposal:

I support the Cooperative Habitat Management Lease Agreement with the E Bar L Ranch. It certainly is a win/win for all parties. Good job.

FINDING OF NO SIGNIFICANT IMPACT

FWP has reviewed the EA and applicable laws, regulations, and policies and has determined that this action will not have significant effect on the human environment. Therefore, I conclude that the EA is the appropriate level of analysis and the preparation of an Environmental Impact Statement is not necessary.

DECISION

Based on the analysis in the Draft EA and lack of public comment opposing or suggesting changes to the Proposed Action, I have selected the Proposed Action alternative. FWP will enter in a 6-year Cooperative Habitat Management Agreement (involving 17.4 acres of FWP land) with the E Bar L Ranch (involving 151.6 acres of private land). FWP will allow grazing on its land in exchange for year-long deferment of livestock grazing on the private land.

CONCLUSION

By notification of this Decision Notice, the draft EA is hereby made the final EA. The finding of selection for the Proposed Action alternative is the product of this Decision Notice.



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6/24/2015

Date